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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [KDEM](#) [VE](#) [OAS](#)
SUBJECT: VENEZUELA: SIGNATURE APPEALS UPDATE

REF: A. CARACAS 1656

[B](#). CARACAS 1542
[C](#). CARACAS 1692

Classified By: Abelardo A. Arias, Political Counselor,
for Reasons 1.4(b) and (d).

Summary

[1](#). (C) Opponents of President Hugo Chavez and the National Electoral Council (CNE) continue to prepare for the signature appeals process ("reparos") scheduled for May 27-31. Relations between the international observers (OAS and the Carter Center) and the CNE improved slightly, but sensitivities remain as Chavez supporters have sunk to personal attacks against the observers. The CNE is reportedly close to finalizing the procedure for totalling the signature appeals, which will reportedly include verification of identity documents to detect possible fraud at the appeals centers. The signature appeals period for 15 opposition and two pro-GOV deputies will take place May 20-24. For the presidential signature appeals May 27-31, the opposition remains optimistic they will mobilize enough people to compensate for the effects of fraud or people recanting their signatures. Chavez and his supporters repeat constantly that the appeals process will not succeed in activating the recall referendum. The international observers found no errors in their sample of the presidential appeals registers ("cuadernos") and the opposition is nearing completion of its audit. End summary.

Deputies Reparos May 20-24

[2](#). (SBU) The National Electoral Council (CNE) has been preparing for the signature appeals process ("reparos") against opposition and pro-GOV deputies May 20-24 (the actual collection days are May 21-23). During the signature drives in November 2003, Chavez supporters collected signatures against 32 opposition deputies; the opposition collected against 32 pro-GOV deputies. The CNE determined that sufficient signatures were collected against 15 of the opposition deputies and two of the pro-GOV deputies for the deputies' signature appeals. The CNE will appeals centers in 12 states, corresponding to the deputies' electoral districts. The OAS plans to have 13 observers and The Carter Center (TCC) 20 in-country for the event. (Note: One press analysis concluded that the National Assembly's balance of power would only be affected by the deputies' referendum process if two opposition deputies who currently have no alternates were to be recalled.)

New Rules For Adding Up Signatures

[3](#). (U) The CNE approved the rules for totalling the appeals on May 18, though has yet to publish the text. The CNE board debated the rules for two weeks. Among the points of contention, Coordinadora Democratica (CD) negotiator Alberto Quiroz said, was the CD desire to ensure the principle of "sudden death," or that appeals will be totalled up at the end of each day and not be subject to further verification procedures. He added that the CD also wanted the rules to avoid the possibility that the CNE could nullify appeals that are not properly tracked on daily tally sheets ("actas") as happened with the November signature drive. Finally, Quiroz said the CD wanted to be sure the totalization rules track with the appeals regulations that give the CNE just four days to announce the results.

DIEX To Police Identity Cards

[4](#). (C) Press reports on May 19 indicate that the CNE had

approved the use of Directorate of Identification and Immigration (DIEX) officials in charge of identity cards ("fiscales de cedulizacion") to canvass centers during the appeals period. This had been a demand of the pro-Chavez Comando Ayacucho as a measure to prevent fraud. Former fiscal Denis Cortez told Poloff May 19 there are no more than 200 such officials, in his opinion an insufficient number to cover the appeals centers. Cortez, who now heads the CD's anti-fraud committee, said that the fiscales are under the titular authority of the CNE, but have offices in DIEX and since 2003 have operated solely under DIEX authority. Cortez asserted that the fiscales are biased toward GOV political interests and may, in fact, be facilitating alleged fraud in issuing false identity cards.

Registers Look Good

15. (C) The CNE completed printing the appeals registers ("cuadernos") and has permitted the opposition and OAS/TCC to do an audit sample. Quiroz told reporters May 17 that the CNE failed to provide proper access to the registers within the time stipulated in the regulations, but that the audit would be completed by May 18 if work continued unimpeded. Movement to Socialism (MAS) President Felipe Mujica told poloff that the CNE Director Jorge Rodriguez had been acting as if he were doing the opposition a favor by allowing them to check the accuracy of the registers. Mujica, too, said the CD audit was nearly completed and they had not yet discovered any glaring errors. OAS observer mission chief Marcelo Alvarez told poloff the OAS/TCC sample showed the registers to be "100 percent" accurate.

Repentance: Don't Ask, Don't Tell

16. (C) Whether people may withdraw their signatures because they claim their identity was stolen -- as the rules stipulate -- or whether they just have a change of heart -- which the Pro-Chavez Comando Ayacucho is promoting -- remains a subject of public debate. Rodriguez said the parties agreed that the mere manifestation of the person at the appeals center is sufficient and such "repenters" do not need to state the reason for their withdrawal.

Mujica: People Power Is Key

17. (C) Mujica discounted efforts by the opposition to glean some advantage in the appeals process through rules or court cases. The key, he said, is to mobilize more than enough people to go to appeals centers. Mujica said public support for the appeals process is high and he expects an excellent turnout. He said the GOV erred in thinking the appeals process would split the opposition. Chavistas are "hysterical," he said, to stop the appeals, noting with skepticism the GOV's recent claims that Colombian paramilitaries had invaded Venezuela (ref c). Mujica's own wife was briefly kidnapped from their home by gunmen on May 10, which Mujica called an attempt to intimidate. Mujica did not rule out that the GOV may resort to extreme measures that interrupt the appeals, but he believed any such efforts would ultimately be self-defeating.

Chavez Sees Referendum "Poco Probable"

18. (U) Chavez said in an interview published by Reuters May 18 he believed the opposition would not get enough signatures in the appeals process to activate the referendum against him. He added that if the opposition does win, it will be more difficult for them because he will win the referendum. Chavez supporters are largely repeating this line in the press and in contacts with the Embassy.

Sumate Directors Ordered To Court

19. (U) With one week remaining before the appeals process, Sumate directors Alejandro Plas and Maria Corina Machado have been summoned by a public prosecutor under suspicion of "treason and conspiracy" in relation to the NGO's receipt of grants from the National Endowment for Democracy. Chavez leveled the charges of treason in February, after which prosecutors opened a case against the NGO that provides electoral technical support for the opposition. Plas and Machado announced in a press conference on May 18 that despite already giving statements, they had been recalled -- Plas for May 21 and Machado for May 26 -- as suspects. The summons could result in their detention. Plas and Machado denounced the summons as an attempt to dissuade Sumate

volunteers from supporting the appeals process.

OAS/TCC and CNE Make Up, Until the Next Fight

110. (U) After days of private discussion, the OAS/TCC and the CNE issued on May 17 a joint statement declaring they had "smoothed things over" and that the observers would stay on. CNE Director Rodriguez warned on May 18, however, that the observers are invited because of their impartiality; the moment they lose it, Rodriguez said, the CNE will reissue its ultimatum. The dispute arose when the OAS/TCC issued a joint statement May 12 disputing the legality of the CNE decision to permit people to withdraw their names from the signature petitions to revoke President Chavez because they changed their minds. Objecting to the statement, CNE President Francisco Carrasquero issued an ultimatum that the observers retract their statement or the CNE would "reconsider" the missions' participation (ref a).

111. (C) Alvarez__ told poloff May 18 that fundamental disagreements remain, but that the CNE could not afford to lose the participation of the OAS/TCC. Alvarez__ said he had "torturous" meetings with Rodriguez over how to resolve the dispute. (Rodriguez told reporters things were "on the slow road" to resolution.) Alvarez__ predicted the dispute would re-ignite the next time the observers disagree publicly with the CNE. Alvarez__ was irritated with Ismael Garcia, a National Deputy and chair of the Comando Ayacucho, had accused him personally May 14 of taking a vacation paid for by Venezuelan media magnate Gustavo Cisneros (Venevision). Alvarez__ said that OAS Chief of Staff Fernando Jaramillo would arrive on May 19 for meetings with the GOV, during which Alvarez__ hopes the OAS will reject the personal attacks. Patria Para Todos (PPT) Secretary General Jose Albornoza demanded publicly May 17 that the OAS/TCC "urgently" replace their mission chiefs, who, he said, had become politicized.

Comment

112. (C) The CNE will likely continue to scrutinize the international observers closely. The Comando Ayacucho's personal attacks on the international observers is the classic Chavista maneuver of attacking individuals to pressure their institutions. Chavez supporters realize that the international observers could make the difference between victory and defeat and they are trying to discredit them. Despite this, the signature appeals are more or less on track. Mujica's confidence may be misplaced, however, as there are still many opportunities for the GOV to interfere with the process.

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